

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

KATELYN EBNER,
PRINCESS MBAMARA,
AYOKUNLE ORIYOMI, and
BRITTANY PENWELL,

Plaintiffs,
v.

COBB COUNTY, through its
Instrumentality the COBB COUNTY
POLICE DEPARTMENT; and
OFFICER TRACY CARROLL a.k.a.
“T.T.” CARROLL, in his individual
capacity.

Defendants.

CIVIL ACTION FILE NO.
1:17-cv-3722-MLB

JOINT MOTION AND BRIEF FOR PROTECTIVE ORDER

All parties move the Court under Fed. R. Civ. 26(c) to enter the attached proposed protective order. The proposed order requires confidentiality of all records containing any of the following information produced by any party to this suit: social security numbers, dates of birth, home addresses of parties and law enforcement officers, home and cell telephone numbers of parties and law enforcement officers, medical information, payroll information, credit information, tax information and returns, and other sensitive and confidential identifying information.

This order is necessary to protect the confidentiality and privacy of the parties and law enforcement personnel. All parties consent to this motion.¹

Respectfully submitted,

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¹This document has been prepared in Times New Roman (14 pt.) font, which has been approved by the Local Rules of this Court.

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CONSENT PROTECTIVE ORDER

This case is in discovery and the parties have acknowledged the need to protect the confidentiality of certain sensitive confidential and identifying information. Accordingly, good cause having been shown within the meaning of Fed. R. Civ. P. 26(c)(1)(D, G) and the parties having agreed, the Court hereby orders:

1. All records containing any of the following information produced by any party to this suit shall be treated as confidential by all parties to the litigation: social security numbers, dates of birth, home addresses of parties and law enforcement officers, home and cell telephone numbers of parties and law enforcement

officers, medical information, payroll information, credit information, tax information and returns, and other sensitive and confidential identifying information. (“Confidential Information”).

2. Confidential Information and all copies, summaries, compilations, and notes or abstracts thereof shall be used exclusively in this action and for no other purpose. Upon completion of this action, all Confidential Information together with any copies thereof shall either be destroyed or returned to the providing counsel, at said counsel’s election. Any and all lists used to identify Confidential Information shall, upon conclusion of this action, also be maintained as strictly confidential under the terms of this paragraph, and shall be returned or destroyed under the terms of this paragraph.
3. Confidential Information may be disclosed to persons employed as experts or independent consultants by counsel and employees of counsel who have a need to review Confidential Information to aid in the litigation of this case. All persons to whom disclosure is made shall maintain and honor the confidentiality of such information except as disclosure is necessary for handling this litigation. Disclosure of Confidential Information to persons other than counsel, the parties, and counsels’ employees shall be conditioned upon

such persons agreeing to be bound by this Order and signing a statement to that effect.

4. Parties wishing any document to be filed under seal must first present a motion and/or consent order regarding said document, and a copy of the document sought to be sealed, to the Court. Such motion or consent order should explain with particularity and citations to authority why the document should be filed under seal. The Clerk of the Court is not authorized to accept for filing any document designated as sealed without an Order from the Court approving specific documents to be filed under seal.
5. Any documents (including briefs), tangible things or information designated as Confidential that are submitted to the Court in support of or in opposition to a motion or introduced at a hearing or trial may retain their protected confidential status only by order of the Court in accordance with the procedures outlined in Appendix H (Standing Order No. 16-01, Electronic Case Filing and Administrative Procedures) of the Local Rules of the Northern District of Georgia.
6. An inadvertent failure to declare or mark a document as “Confidential” does not waive the right of the party seeking protection to correct that oversight. Similarly, a party’s inadvertent failure to mark another party’s records as

confidential does not give rise to any type of damages or cause of action, but the party seeking confidentiality protection may require that the oversight be corrected.

7. This Order shall govern all pretrial proceedings, but shall be subject to modification either before, during, or after trial, upon consent of the parties or by the Court. This Order shall not affect the rights of any party to use summary data or calculations based on such calculations. Any Confidential Information that is admitted into evidence shall not lose its confidential designation under this Order unless expressly ordered by the Court.
8. The provisions of this Order shall not affect the admissibility of evidence or any objections to evidence at trial or in any other proceedings in Court except as may be provided by separate Order or agreement. In addition, nothing in this order shall be construed as making any particular information or document discoverable in this action which might otherwise be objectionable.

IT IS SO ORDERED, this ____ day of _____, 2018.

MICHAEL L. BROWN
United States District Judge

CONSENTED TO:

s/ Aklima Khondoker

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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing
JOINT MOTION AND BRIEF FOR CONSENT PROTECTIVE ORDER with
the Clerk of Court using the CM/ECF system which will automatically send email
notification of such filing to the following attorneys of record:

Sean J. Young, Esq.
Aklima Khondoker, Esq.
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This 23rd day of February, 2018.

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